



Department of Justice

United States Attorney Richard S. Hartunian
Northern District of New York

FOR IMMEDIATE RELEASE

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June 4, 2010

[Plattsburgh, New York]—United States Attorney Richard S. Hartunian announces a federal indictment charging JOHN DAVID JACOBS, DARREN FORREST MACNEIL AND JAMIE RICHARD MIGNEAULT with cigarette trafficking, and DARREN FORREST MACNEIL AND JAMIE RICHARD MIGNEAULT with immigration offenses including entering the United States at a time and place other than at a lawful port of entry.

The indictment filed June 2, 2010, charges JOHN DAVID JACOBS, age 39 of Akwesasne, New York, DARREN FORREST MACNEIL, age 37 of Cornwall and Moose Factory, Ontario, and JAMIE RICHARD MIGNEAULT, age 32 of Cornwall, Ontario, with conspiracy to possess and transport, and possession and transportation of untaxed cigarettes, in violation of Title 18, United States Code, Section 371 and Section 2342(a). The indictment also charges JAMIE RICHARD MIGNEAULT and DARREN FORREST MACNEIL, both Canadian citizens, with entry without inspection, in violation of Title 8, United States Code, Section 1325(a)(1), and JAMIE RICHARD MIGNEAULT with the additional felony immigration charge of reentry of a refused alien, in violation of Title 8, United States Code, Section 1326(a).

JOHN DAVID JACOBS, DARREN FORREST MACNEIL, and JAMIE RICHARD MIGNEAULT were arrested May 19, 2010, near the Massena Intake on the St. Lawrence River near Massena, New York, allegedly in the act of smuggling untaxed cigarettes from the United States to Canada. Agents seized approximately 180,000 cigarettes. The three men were initially charged by federal complaint and appeared before United State Magistrate Judge Larry A. Kudrle on May 20,

2010. Magistrate Judge Kudrle remanded the three to the custody of the United States Marshal at that time.

The June 2, 2010, indictment expands the charges initially lodged by the May 20, 2010, complaint, and carry the following potential penalties:

<u>Charge</u>	<u>Potential Penalties</u>
Count 1 Conspiracy to posses and transport contraband cigarettes	5 years imprisonment, 3 years supervised release and a fine of \$250,000
Count 2 Possession and transportation of contraband cigarettes	5 years imprisonment, 3 years supervised release and a fine of \$250,000
Count 3 Reentry of refused alien	2 years imprisonment, 3 years supervised release and a fine of \$250,000
Count 4 & 5 Entry without inspection	6 months imprisonment, \$5,000 fine

The indictment is the result of an international investigation by United States Border Patrol of Swanton Sector at Massena, New York, the Bureau of Alcohol Tobacco and Firearms in Albany and Buffalo, New York, the New York State Department of Revenue, and Canada Border Services Agency, Cornwall, Ontario.

A charge is merely an accusation and the accused is presumed innocent until and unless proven guilty.

Inquiries may be directed to Assistant United States Attorney Elizabeth Horsman at (518) 314-7800.